

CRIMINAL NO. 2:08CR27

DONALD STEPHEN SCOTT

ORDER

The Court finds for the reasons stated in the Defendant's motion and upon a showing that Defendant's counsel has not had sufficient time within which to adequately prepare a defense in this case, taking into account the exercise of due diligence, the Court will allow the continuance. **18 U.S.C. § 3161(h)(8)(B)(iv)**. Further, the Court has under advisement the Defendant's motion to suppress and it is not anticipated that a ruling will be issued until the term has expired. **18 U.S.C. § 3161(h)(1)(F)**. The Court further finds that the ends of justice served by taking such action as

requested by the Defendant outweigh the best interest of the public and the Defendant to a speedy trial.

IT IS, THEREFORE, ORDERED that the Defendant's motion for continuance is **ALLOWED** and this case is hereby continued from the October 2008 term in the Bryson City Division.

Signed: October 10, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

